

1-1 By: Williams S.B. No. 965  
1-2 (In the Senate - Filed February 28, 2013; March 12, 2013,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 March 27, 2013, reported favorably by the following vote: Yeas 6,  
1-5 Nays 0; March 27, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Huffman	X		
1-10	Carona		X	
1-11	Hinojosa	X		
1-12	Patrick	X		
1-13	Rodriguez	X		
1-14	Schwertner	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the correction of employment termination reports for  
1-18 law enforcement officers.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. The heading to Section 1701.4525, Occupations  
1-21 Code, is amended to read as follows:

1-22 Sec. 1701.4525. PETITION FOR CORRECTION OF REPORT;  
1-23 HEARING[~~, ADMINISTRATIVE PENALTY~~].

1-24 SECTION 2. Subsection (e), Section 1701.4525, Occupations  
1-25 Code, is amended to read as follows:

1-26 (e) In a proceeding to contest information in an employment  
1-27 termination report for a report based on alleged misconduct, an  
1-28 administrative law judge shall determine if the alleged misconduct  
1-29 occurred by a preponderance of the evidence regardless of whether  
1-30 the person who is the subject of the report was terminated or the  
1-31 person resigned, retired, or separated in lieu of termination. If  
1-32 the alleged misconduct is not supported by a preponderance of the  
1-33 evidence, the administrative law judge shall order the commission  
1-34 to change the report [~~to be changed~~].

1-35 SECTION 3. Subsection (e-1), Section 1701.4525,  
1-36 Occupations Code, is repealed.

1-37 SECTION 4. The changes in law made by this Act to Section  
1-38 1701.4525, Occupations Code, apply only to a petition for a  
1-39 correction of an employment termination report submitted on or  
1-40 after the effective date of this Act. A petition submitted before  
1-41 the effective date of this Act is governed by the law in effect on  
1-42 the date the petition was submitted, and the former law is continued  
1-43 in effect for that purpose.

1-44 SECTION 5. This Act takes effect September 1, 2013.

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